

**REMARKS**

Reconsideration and allowance of the subject patent application are respectfully requested.

Applicants again request that an initialed copy of the PTO-1449 submitted with the Information Disclosure Statement of August 25, 1999 be returned with the next action in this application.

Applicants' representative wishes to thank Examiner Phan for the courtesy extended during the telephone interview on November 12, 2003. The substance of this interview is contained in the remarks set forth below.

Claims 1-16 were rejected under 35 U.S.C. Section 102(e) as allegedly being anticipated by Kim (U.S. Patent No. 5,774,537). Kim discloses a method and apparatus for displaying multiple languages in a key phone system in which a language changing key is operated to change an initial language into another language, and functions and information in the changed language are displayed on a liquid crystal display. The key phone system of Kim includes a KSU (key service unit) and a KTS (key telephone set, a telephone terminal having a display portion and connected to the KSU). With reference to Figures 1 and 2, when power is turned on, functions and operational information are displayed in an initial language. If the language changing key is operated, this key input is communicated from CPU 80 of the telephone set to CPU 30 of the service unit, which then designates a corresponding language index stored in ROM 10. Following this, the CPU 30 changes the initial language into the language corresponding to the designated language index and supplies the changed language to CPU 80. As a result, CPU 80 displays the changed corresponding language on the LCD display 110.

Kim does not anticipate the subject matter of claims 1-16.

Claim 1 is directed to a portable electronic apparatus that uses area data, language data corresponding to the area and an additional language to initialize software incorporated in the apparatus. In particular, the apparatus includes a first memory for storing a plurality of sets of initial data for the software to cope with various kinds of "area data and languages;" input means for allowing entry of area data, a language corresponding thereto and an additional language for an area in which the apparatus is

used; and a second memory for storing the entered area data, the language corresponding thereto, and the additional language. When the software is initialized, initial data corresponding to the area data, the language corresponding thereto, and the additional language stored in the second memory is selected from the initial data stored in the first memory. As described with reference to the illustrative embodiments in the specification, this arrangement can permit users to use data other than factory-set data to initialize software of the apparatus.

As discussed above, Kim merely discloses changing the language in which information is displayed on a display based on the operation of a "language changing key." Kim does not disclose "area data" or the input or storage of area data as specified in claim 1. Kim also does not disclose inputting or storing a language corresponding to the area data and an additional language, much less the concept of using such information to select initial data from a memory as further specified in claim 1. Finally, the language changing operations of Kim involve both a KTS and a KSU connected to trunk lines, not a portable electronic apparatus as described in claim 1. It is axiomatic that anticipation of a claim under Section 102 can be found only if the prior art reference discloses every element of the claim. See *In re King*, 801 F.2d 1324, 1326, 231 USPQ 136, 138 (Fed. Cir. 1986) and *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 730 F.2d 1452, 1458, 221 USPQ 481, 485 (Fed. Cir. 1984). Because Kim at least fails to disclose the input, storage or use of area data, a language corresponding thereto and an additional language as claimed, Kim cannot anticipate claim 1.

Claims 2-7 depend from claim 1 and likewise cannot be anticipated by Kim. In addition, these claims describe other features not shown in Kim.

For example, with respect to claim 3, the office action alleges that Kim shows that, if incorrect data is found, the initial data edited by the user is automatically deleted and the software of the portable electronic apparatus is initialized by the use of initial data as initially set. However, at col. 3, line 38 to col. 4, line 21, Kim simply discloses that the program displays all kinds of functions or operational information in an initial language by default and that this initial language may be changed by operating the language changing key. Kim does not describe "incorrect data" or that if incorrect data is

found, the initial data edited by the user is automatically deleted and the software of the apparatus is initialized using initial data corresponding to the area data, the language corresponding thereto, and the additional language as initially set.

With respect to claim 4, the office action alleges that Kim shows a key operated to delete initial data edited by the user. Here again, the portion of Kim referenced in the office action describes operating a language changing key to change an initial language. There is no disclosure in Kim of editing selected initial data and thus Kim does not disclose an apparatus that allows the user to delete the initial data edited by the user.

With respect to claim 6, the apparatus disclosed by Kim does not allow the user to edit or delete the initial data. Therefore, Kim does not disclose the subject matter of claim 6.

With respect to claim 7, Kim does not deal with area data or a language corresponding thereto. Furthermore, the apparatus disclosed by Kim does not allow the user to edit or delete initial data. Therefore, Kim does not disclose the subject matter of claim 7.

Kim contains no disclosure of "area data" or of inputting and storing area data, a language corresponding to the area data, and an additional language, as specified in claim 8. There is also no disclosure of a memory area for storing a flag or of the operations based on such a flag as further specified in claim 8. For at least these reasons, Kim cannot anticipate claim 8 or claims 9 and 10, which depend therefrom.

Kim similarly does not disclose an input device for inputting a selected geographic area and at least one selected language or for storing these inputs as specified in claim 11. For at least these reasons, Kim cannot anticipate claim 11 or claims 12-18, which depend therefrom.

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Applicants submit that the pending claims are in condition for allowance, and early notice to that effect is respectfully requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

A handwritten signature in cursive script, appearing to read "Michael J. Shea", is written over a horizontal line.

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